/ /

Sl. No. 160
49-50

195

File No. 402/48-II

P.W DEPARTMENT

B CLASS

E BRANCH

Subject:— Govt. Servants
Conduct Rules, 1935
Permission to acquire
immovable property of Govt. servants

B [K] - 1951

E.B

File No. 402/48 — II

Etd. Secrt. Slip. 24 A

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 402/48-II

P.W. DEPT.

E. BRANCH.

References :—

Date.	To whom sent.	Notes and instructions.

An extract from the opinion of the Remembrancer of Legal Affairs, No. 320-Confl., dated the 26th May 1949.

Rule 21 of the Bombay Civil Services Conduct, Discipline and Appeal Rules reads as follows:-

" A Government servant may not, without the previous sanction of Government , engage in any trade or undertake any employment while on duty or on leave, other than his public ~~duties~~ duties."

The words " engage in any trade" may be contrasted with the familiar expression used in taxing and other statutes, namely, " carrying on trade". The latter excludes a ~~mere~~ mere casual or sporadic transaction, whereas what the ~~former~~ former forbids is the very engaging in trade, that is, embarking in or taking part in, devoting attention and effort to, trade. It is of course misconduct in a Government servant to carry on trade while in Government service but the rule prohibits taking part in trade although such part may not amount to a ~~regular~~ regular carrying on of trade. It was pointed out that trade in this rule need not have the very restrictive meaning of commerce in commodities and that the rule, which is comprehensive, divides all work outside official duties into two classes: (1) where the person may be ~~in~~ employed by another and (2) ~~where~~ where he may engage himself, and consequently must be ~~employed~~ given the widest possible meaning so as to cover not only mere traffic in commodities but all activites where skill and intelligence is even exchanged for profit. Judged by that standard, the fact that Mr..... earned a commission within the course of one year of Rs. 9,674-1-6 upon the radio sets sold by Mr..... to Mr..... introduction to whom was secured through Mr..... would undoubtedly amount to engaging in trade within the meaning of the rule.

No. 1581/34-D.

POLITICAL AND SERVICES DEPARTMENT

Bombay Castle , 20th July 1949.

Forwarded...

Forwarded with compliments to-

The Private Secretary to the Governor,

The Secretary to the Honourable the Premier,

All Heads of Departments and Heads of Offices under the

several Departments of the Secretariat,

All Departments of the Secretariat,

for information and guidance.

By order of the Governor of Bombay,

J. CHAVES,

for Chief Secretary to the Government

of Bombay,

Political and Services Department.

For further orders
Pl. see P. & S.D.
G.C.M. No.1581/34,
dt. 31-3-52
B A 1052/34216

Government Servants Conduct Rules.
Need for Government servants to refrain from drinking.

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular Memorandum No. 1581/34.

Bombay Castle, 8th April 1950.

CIRCULAR MEMORANDUM.

Under item (B) (i) of the letter from the Prohibition and Excise Commissioner, No. 25-39/49, dated the 28th November 1949, reproduced in the preamble to Government Resolution, Revenue Department, No. 2843/49, dated the 8th December 1949, a provision has been made for the grant of permits for possession, use and consumption ~~affarmgin~~ of foreign liquor on grounds of health and for purposes of emergency. A permit on grounds of health is granted subject to the subject to the condition that a duly approved Medical Board should certify that the health of the person concerned will be seriously and permanently affected if he is not permitted to use for consume liquor.

2. In Government ~~Circular~~ Circular, Political and Services Department, No. 1581/34, dated the 13th July 1948, Government had appealed to Government servants who were in the habit of taking alcoholic drinks to give up the habit completely before total prohibition came into force. It had also warned them to refrain from taking alcoholic drinks in public places or serving such drinks at official or semi-official parti Government therefore feels that Government servants who were in the habit of drinking have been given sufficient time and notice to overcome the habit of drinking and considers that they should not now find it necessary to consume alcohol on grounds of health. Government servants are therefore advised that it will redound to their credit if they ~~refrain~~ refrained from applying for permits for the possession and consumption of alcoholic drinks. The value of such action on their part in setting an ~~example~~ example to the public cannot be stressed too strongly. So far as members of the Police Departments are concerned they had been specifically warned not to indulge in drinks and any member of that Department who applies for permits will render himself liable to severe disciplinary action.

3. As regards permits for emergency ~~purpose~~ purposes, expert medical

opinion states that " spirituous ammonial aromaticus " i.e., aromatic spirit of ammonia is the best substitute for brandy or rum for medical purposes in an emergency if it is taken in small quantities with water under medical advice. There does not therefore seem any reason why Government servants should apply for emergency permits when another substitute is available in place of brandy or rum which canthey can take in small quantitities for medical purposes. It is desirable that Government servants should set an example to the public in this matter also and Government trusts that Government servants will abstain from applying of permits for the possession and use of alcohol even for emergency purposes.

4. Government servants in the Prohibition and Excise Department will be governed by the instruction contained in the Circular No. 25-39/50 (F&P), dated the 22nd March 1950, issued by the Prohibition and Excise Commissioner, in addition to the foregoing instructions.

5. Heads of Departments and Offices should bring these orders to the notice of all the staff under them. The Director of Publicity should also give publicity to these orders.

By order of the Governor of Bombay,

H. S. BHAT,
Chief Secretary to the Government of Bombay,
Political and Services Departments

To

The Private Secretary to the Governor,
The Secretary to the Honourable the Chief Minister,
The Accountant General, Bombay,
The Prothonotary and Senior Master, High Court, Bombay (by letter),
The Registrary High Court, Appellate Side, Bombay (by letter),
The Prohibition and Excise Commissioner, Bombay.
The Inspector General of Police, Bombay,
The Director of Publicity, Bombay,
All other Heads of Departments and Heads of Offices underthe several Departments of the Secretariat.

All Departments of the Secretariat.

No. of 1950.

Copy forwarded for information and guidance to

Government Servants Conduct Rules.
Purchase of immovable property by Government servants.

GOVERNMENT OF BOMBAY.

DEVELOPMENT DEPARTMENT.

Resolution No. P. 31.

Bombay Castle, 24th May 1950.

Letter No. Estt. 16/23663, dated the 4th April 1950, from the Director of Fisheries, Bombay.

RESOLUTION.- The Director of Fisheries is authorised to grant permission to Government servants under his control to acquire immovable property by purchase or gifts.

2. The Political and Services Department should be requested to issue the necessary amendment to Appendix III of the Bombay Civil Services Conduct, Discipline and Appeal Rules.

By order of the Governor of Bombay,

I. B. PATEL.

Assistant Secretary to Government.

To

The Director of Fisheries,

All Collectors,

The Solicitor to Government,

The Remembrancer of Legal Affairs,

The Accountant General, Bombay,

The Political and Services Department,

All other Departments of the Secretariat (except the Separate Department),

All Heads of Departments under the several Departments of the Secretariat,

The Executive Engineers of Divisions,

The Superintending Engineers of Circles,

The Chief Engineer to Government.

No. of 1950.

Copy forwarded for information and guidance to

.ther orders Pl. see
.. circular, P. & S.D.,
No. 2138/34, dt the
12-11-52 (BAR 1052)
112764

Government Servants' Conduct Rule.
Association of the names of Govern.
servants with public institutions o:
works.

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular No. 2138/34.

Bombay Castle, 19th ~~Aga~~ August 1950.

CIRCULAR OF GOVERNMENT.

Some cases have recently come to the ~~xxx~~ notice of Government in which Government Officers have allowed their names to be associated with public institutions. Such conduct is irregular being in contravention of the orders contained in Government Circulars, Political and Services Department, No. 2138/34, dated the 3rd December 1937 and the 27th August 1941. It is essential that such irregularities should be avoided. The attention of all Government servants is accordi gly drawn to the orders contained in these two Circulars (printed as accompaniment to this Circular) and they are requested to follow them scrupulously in future.

By order of the Governor of Bomba

M. D. BHAT,

Chief Secretary to the Government of Bombay,

~~Rxxxx~~ Political and Services Depart-
-ment.

Secy. Id/-
9/9

To

The Secretary to the Governor,

The Secretary to the Honourable the Chief Minister,

The Accountant General, Bombay,

The Prothonotary and Senior Master, High Court, Bombay (by letter),

The Registrar, High Court, Appellate Side, Bombay (by letter)

All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat,

All Departments of the Secretariat.

L Pol. & S.H 51

No. of 1950

Copy forwarded ~~xxxxxxx~~ for information and guidance to

D. Accompaniment to Government Circular, Political and Services Department, No. 2138/34, dated 19th August 1950.

COPY.

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular No. 2138/34,

Bombay Castle, 3rd December 1937.

CIRCULAR .

Government consider that the association of the names of Government Officers with public institutions or works, such as libraries, hospitals, schools, roads, etc. is not desirable and they wish to impress on all concerned the advisability of discouraging such proposals. When, however, any Government Officer is approached under exceptional circumstances for permission to name any public institution after him, the matter should be reported to Government for orders and consent should not be given unless the sanction of the Government is received.

By order of the Governor of Bombay,

C. W. B. TURNER,

Chief Secretary to the Government of Bombay,

Political and Services Department.

To

The Secretary to the Governor,

*The Prothonotary and Senior Master, High Court, Bombay,

*The Registrar, High Court, Appellate Side, Bombay,

The Accountant General, Bombay,

All the other Heads of Offices under the several Departments of the Secretariat,

All Departments of the Secretariat.

* By letter.

No. of 1937.

Copy forwarded for information and guidance to

COPY.

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular No. 2138/34.

Bombay Castle, 27th August 1941.

CIRCULAR.

The attention of all Heads of Departments and Offices under the several Departments of the Secretariat is invited to the orders contained in Government Circular, Political and Reforms Department, No. 2138/34, dated the 3rd December 1937 in which Government Officers were advised to discourage proposals for the association of their names with public institutions ssuch as libraries, hospitals, schools and roads and they are informed that Government considers that its Officers should also discourage proposals for the assoication of their names with such objects as shields, trophies, prizes, medals and cups. In exceptional circumstances, the prior sanction of Government should be obtained.

By order of the Governor of Bombay,

G. F. S . COLLINS,

Chief Secretary to the Government of Bombay,

Political and Services Department,

To

The Secretary to the Governor,

* The Prothonotary and Senior Master, High Court, Bombay,

* The Registrar, High Court, Appellate Side, Bombay,

The Accountant General, Bombay,

All other Heads of Departments and Heads of Offices under the several Departments of the Secretariat.

All Departments of the Secretariat.

By
* letter.

No. of 1941.

Copy forwarded for information and guidance to